

# EXHIBIT 6

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

Case No. 7:23-CV-01368-BO

GARY LAYNE MCELHINEY, SR.,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

\*\*\*\*\*

VIDEOTAPED DEPOSITION OF GARY LAYNE MCELHINEY, SR.

VOLUME I

March 5, 2024

\*\*\*\*\*

VIDEOTAPED DEPOSITION OF GARY LAYNE MCELHINEY, SR. taken in the above-styled and numbered cause at the offices of Butler Snow, LLP, 150 3rd Avenue South, Suite 1600, Nashville, Tennessee on March 5, 2024 commencing at 8:59 a.m. before Gina Williams, Registered Professional Reporter, Certified Realtime Reporter, and Certified Realtime Captioner.

1 lights, make sure that the vehicle was operational.

2 Q And approximately how large were the water  
3 tanks that you worked on?

4 A 4,000-gallon, 400-gallon, even had  
5 1,200 gallons.

6 Q Do you know what type of use these water  
7 tanks -- or what these water tanks were used for?

8 A Potable water.

9 Q And do you know where they would transport  
10 water from and to, generally speaking?

11 A Yes.

12 You'd transport the water from water points to  
13 their destinations out in the field for water for the  
14 troops, chow halls, showers.

15 Q Okay. And were these water tanks used at  
16 Camp Lejeune?

17 A Yes.

18 Q And do you know what the water source was  
19 for these tanks?

20 A Yes.

21 Q Can you please tell me?

22 A I know of two water points. One was south  
23 by Courthouse Bay, and the other one was at the fuel depo in  
24 the industrial area.

25 Q And --

1           A       It was across the street from the fuel  
2       depo.

3           Q       Okay. And do you know where within Camp  
4       Lejeune these water tanks would go?

5           A       Yes.

6                 We would take them out to the different LZs,  
7       landing zones, where the men would be out training.

8           MS. MIRSKY: And before we continue --

9                 Strike that.

10           To help with this discussion, I have Exhibit 5,  
11       which I pulled from a website.

12                 (Exhibit 5 was marked for identification.)

13           MR. BARR: Where does this come from?

14           MS. MIRSKY: A Marine website.

15           MR. BARR: Do you know which one?

16           MS. MIRSKY: No, I'm sorry. I can provide it to  
17       you after.

18                 And then Exhibit 6 --

19                 And I apologize. I could not get this to print  
20       with the Bates number, but I can provide it to you  
21       afterwards.

22           MR. BARR: Okay.

23                 (Exhibit 6 was marked for identification.)

24       BY MS. MIRSKY:

25           Q       So can I borrow this? I'll give you a pen.

CERTIFICATE

I, Gina Williams, Registered Professional Court Reporter, do certify that the above deposition was reported by me and that the foregoing transcript is a true and accurate record to the best of my knowledge, skills, and ability.

I further certify that I am not an employee of counsel or any of the parties, nor a relative or employee of any attorney or counsel connected with the action, nor financially interested in the action.

Subscribed and sworn to before me when taken this 5th day of March, 2024.

<%3138,Signature%>

GINA WILLIAMS, LCR #730

Expiration Date: 6/30/2025